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DEPARTMENT OF HEALTH AND SENIOR SERVICES

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FRED M. JACOBS, M.D., J.D.
Commissioner

TO: All Interested Parties

FROM: Fred M. Jacobs, M.D., J.D.
Commissioner

DATE: February 22, 2007

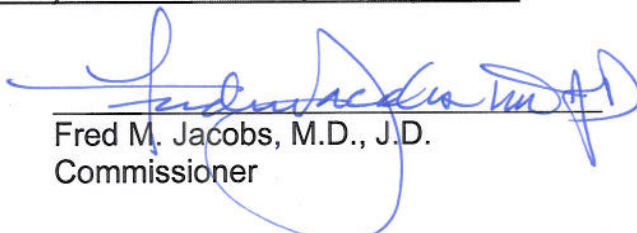
RE: Compliance with P.L. 2006, c. 103

P.L. 2006, c. 103, an Act concerning marriage and civil unions, will become effective February 19, 2007. Essentially, the Act requires that all persons in a civil union shall receive the same benefits and protections and be subject to the same responsibilities as spouses in a marriage.

Whenever any law, rule, regulation, judicial or administrative proceeding or otherwise, reference is made to "marriage," "husband," "wife," "spouse," "family," "immediate family," "dependent," "next of kin," "widow," "widower," "widowed" or another word which in a specific context denotes a marital or spousal relationship, the same shall include a civil union pursuant to the Act.

The Act contains a provision pertaining to, "emergency and nonemergency medical care and treatment, hospital visitation and notification, and any rights guaranteed to a hospital patient pursuant to P.L. 1989, c. 170 (c.26:2H-12.7 et seq.) or a nursing home resident pursuant to P.L. 1976, c. 120 (C.30:13-1 et seq.). All licensed health care facilities are required to have policies in place implementing appropriate policies to protect patient rights and treat partners in a civil union as spouses in a marriage.

On or after February 19, 2007, no domestic partnerships will be registered except that two persons who are each 62 years of age or older may establish a domestic partnership. The Act does not alter the rights and responsibilities of domestic partnerships existing before the effective of the Act. See Compliance with the Domestic Partnership Act <http://www.state.nj.us/health/hcsa/dphosprights.pdf>



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